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OF PAGES (INCLUDING COVER): 22

FILE NAME: CMI PROMEX

DATE: February 16, 2005

FILE #: 132258

RECIPIENT(S)	PHONE	FAX
USPTO		703 872-9306

MESSAGE:

Serial No. 10/735,995

RAILROAD CROSSING APPARATUS HAVING IMPROVED RAIL CONNECTION AND IMPROVED FLANGEWAY GEOMETRY AND METHOD INCORPORATING THE SAME

Filed: Dec. 15, 2003

Please find following: transmittal form, response to office action dated Nov. 16, 2004 including Exhibit A (9 pages Specifications for Steel Rails by the American Railway Engineering Association -- total pages including this cover sheet 22

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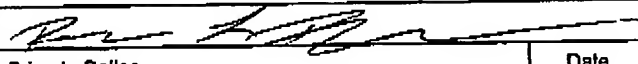
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/735,995
	Filing Date	Dec. 15, 2003
	First Named Inventor	Marron
	Art Unit	3617
	Examiner Name	Jules
Total Number of Pages in This Submission	Attorney Docket Number	CMI-0001-100 132258

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Exhibit A - American Railway Engineering Association Specifications for Steel Rails - 9 pages
Remarks Amendment Includes 1 Exhibit of 9 pages		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Brian L. Belles		
Date	Feb. 16, 2005	Reg. No.	51,322

CERTIFICATE OF TRANSMISSION/MAILING			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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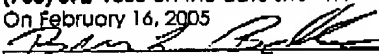
DOCKET NO. 132258 CMI-0001-100
Serial No. 10/735,995
Response to Office Action dated Nov. 16, 2004

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Gerald Marron

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Serial No. : 10/735,995
Filed : December 15, 2003
Title : RAILROAD CROSSING APPARATUS HAVING IMPROVED RAIL
CONNECTION AND IMPROVED FLANGWAY FLOOR
GEOMETRY AND METHOD INCORPORATING THE SAME
Art Unit : 3617
Examiner: Frantz F. Jules
Attorney Docket: : 13258 CMI-0001-100

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On February 16, 2005

Brian L. Belles, Reg. No. 51,322

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

AMENDMENT

In response to the Official Action of November 16, 2004, reconsideration is requested in
view of the following amendments and remarks.

Amendments to the Claims start on page 2 of this reply.

Remarks start on page 7 of this reply.